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AGN. NO. ____

MOTION BY SUPERVISOR ZEV YAROSLAVSKY

August 12, 2003

The State's Community Care Licensing Department (CCL) oversees all licensed child care facilities in California. Currently, CCL does not alert parents when it discovers that children have been mistreated or placed in harm's way by their caregivers at state-licensed child care centers. Although State and Federal laws require that residential care facilities for the elderly, and most skilled nursing homes and intermediate care facilities, post their various licensing reports that describe violations, there is no law or regulation that requires the same for child care facilities. The law only requires CCL to directly notify parents of activities at their children's child care facilities when CCL plans to shut down the facility or when CCL has ordered a facility to exclude a caregiver or family member from working at or visiting the facility.

AB 1683 (Pavley) requires that any licensed child care facility that has received a citation as a result of a site visit or complaint investigation that, if not corrected, will have a direct and immediate risk to the health, safety or personal rights of children in its care, post a copy of any licensing report that describes the citation in a visible place at the facility for 30 days. Additionally, AB 1683 requires CCL to post a notice in a child care facility after any site visit that states whether the facility was cited for violating any state

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standards or regulations, including which category of violation was cited. Such notice also shall include information about how to obtain a copy of the site visit report.

AB 1683 is an important bill as it empowers parents to play a more proactive role in ensuring that their children are receiving quality care. AB 1683 would alert parents to circumstances that could compromise or might already have affected their children's safety and welfare and would give parents the opportunity to quickly intervene on their children's behalf.

I, THEREFORE, MOVE that the Board of Supervisors send a letter of support for AB 1683 to members of the Los Angeles County legislative delegation and direct the County's legislative representatives to support this bill.

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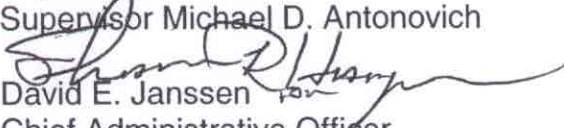
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Fifth District

August 8, 2003

To: Supervisor Yvonne Brathwaite Burke, Chair
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: David E. Janssen 
Chief Administrative Officer

**MOTION TO SUPPORT AB 1683 (PAVLEY) RELATED TO CHILD DAY CARE
FACILITY HEALTH AND SAFETY (ITEM NO. 9, AGENDA OF AUGUST 12, 2003)**

Item Number 9 on the August 12, 2003 agenda is a motion by Supervisor Yaroslavsky to send a letter of support for AB 1683 (Pavley) to members of the Los Angeles County Legislative Delegation and to direct the County's legislative representatives to support this bill.

The intent of AB 1683 is to provide parents with access to important licensing and inspection information in a timely manner. Requiring child day care facilities to post copies of licensing reports, including reports from annual site visits and reports of substantiated complaints against the facility in a conspicuous place, provides parents with necessary information regarding the well-being of their children.

Child day care facilities are licensed and regulated by the California Department of Social Services (CDSS). Existing law requires CDSS to notify parents of activities at the child care facility *only* when CDSS plans to shut down the facility, or when the facility has been ordered to exclude a caregiver or family member from working at or visiting the facility. Neither CDSS nor a child day care facility are under legal obligation to directly inform parents that their children's day care facility has been found to have mistreated children, or have other violations that could endanger children's health and safety.

As amended on July 16, 2003, AB 1683 would require: 1) the CDSS, after conducting a site visit at a child day care facility, to post a notice that includes the date of the visit, whether the facility was cited for any violations, whether the site visit report is required to be posted, and contact information for CDSS if a person wants to obtain a copy of the report or request other information; and 2) every licensed child day care facility to post a copy of any licensing report that documents a violation of State standards or regulations discovered as a result of a site visit, a substantiated complaint, or the facility's compliance or noncompliance with an order by CDSS to correct a deficiency. The report must be posted immediately adjacent to the interior side of the main door of the child day care facility during business hours for 30 consecutive days. Failure to comply with these requirements will subject the facility to a civil penalty of \$100.

This department's Office of Child Care indicates that enactment of AB 1683 will be critical if the Human Services Trailer Bill (AB 1752) is signed, which eliminates CDSS's requirement to conduct annual visits to child care centers and visit family child care homes once every three years. Under AB 1752, both family child care homes and child care centers will be visited once every five years and more frequent visits will be made to programs on probation and in response to complaints. **The Office of Child Care indicates that AB 1683 is beneficial because it makes it easier for child care consumers and prospective consumers to access information on the licensing status of child care homes and centers, and therefore, recommends that the County support AB 1683, and we concur.** Support for AB 1683 is consistent with goal number five of the County's Strategic Plan to enhance the safety and well-being of children and families.

AB 1683 is supported by the California State PTA, Child Care Law Center, California Church Impact, California Public Internet Research Group, and the Kern County Superintendent of Schools. There is no registered opposition. The bill passed the Assembly Floor by a vote of 56 to 22, and the Senate Health and Human Services Committee by a vote of 8 to 2. This measure is currently set for hearing on August 18, 2003 in the Senate Appropriations Committee.

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c: Executive Officer, Board of Supervisors
County Counsel
Legislative Strategist